

**FOLEY**RECEIVED  
CENTRAL FAX CENTER

JUL 27 2004

FOLEY & LARDNER LLP  
ATTORNEYS AT LAW11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
P.O. BOX 80278  
SAN DIEGO, CALIFORNIA 92138-0278  
TELEPHONE: 858.847.6700  
FACSIMILE: 858.792.6773  
WWW.FOLEY.COM

OFFICIAL

FACSIMILE TRANSMISSION

Total # of Pages 14 (including this page)

TO:	PHONE #:	FAX #:
Mail Stop AMENDMENT Commissioner For Patents U.S. Patent and Trademark Office		703.872.9306

From : Barry S. Wilson
Date : July 27, 2004
Client/Matter No : 071949-1315
USSN : 09/982,629
Filing Date : 10/18/2001
Examiner : Lyle Alexander
User ID No : 3067

OFFICIAL

Transmitted herewith for filing in the above-referenced application are the following.

- 1) Transmittal (2 pages) in Duplicate; and
- 2) Amendment (9 pages).

Thank you.

If there are any problems with this transmission or if you have not  
received all of the pages, please call (858) 847-6756.

Operator:	Time Sent:	Return Original To: Line S. Gauthier
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

RECEIVED  
CENTRAL FAX CENTER

JUL 27 2004

Docket No. 071949-1315  
Patent

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenneth F. Buechler

Serial No.: 09/982,629

Filed: October 18, 2001

For: DIAGNOSTIC DEVICES AND  
APPARATUS FOR THE  
CONTROLLED MOVEMENT OF  
REAGENTS WITHOUT  
MEMBRANES

Examiner: Alexander, Lyle

Group Art Unit: 1743

<p><b>CERTIFICATE OF FACSIMILE TRANSMISSION</b></p> <p>I hereby certify that this paper is being facsimile transmitted (703.746.4060) to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p> <p><u>Line Gauthier</u> (Printed Name)</p> <p><u>[Signature]</u> (Signature)</p> <p><u>July 27, 2004</u> (Date of Deposit)</p>
--

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on April 19, 2004, please consider the following amendments and remarks.

A recitation of the pending claims begins on page 2 of this submission; Remarks begin on page 5.